

EXHIBIT 1

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION
4
5 IN RE: HIGH-TECH EMPLOYEE)
6 ANTITRUST LITIGATION)
7) No. 11-CV-2509-LHK
8 THIS DOCUMENT RELATES TO:)
9 ALL ACTIONS.)

10 _____

11

12 DEPOSITION OF 30(b)(6) WITNESS: ADOBE

13 (DONNA MORRIS)

14 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

15 August 21, 2012

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17 Reported by: Anne Torreano, CSR No. 10520

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10:44:05 1 did she report to you at that point?

10:44:06 2 A. No, at that point in time it was Ellen
10:44:09 3 Swarthout.

10:44:09 4 Q. It was Ellen. Okay. Thank you.

10:44:11 5 I believe you testified earlier that one
10:44:14 6 function of human resources at Adobe is recruiting
10:44:18 7 employees, employees or talent to fill positions at the
10:44:22 8 company?

10:44:22 9 A. That's correct.

10:44:22 10 Q. And another function of human resources at
10:44:25 11 Adobe is to help retain employees at the company?

10:44:28 12 A. We don't have like a function per se that's
10:44:33 13 called "retention," but certainly an overall
10:44:37 14 responsibility of human resources is to help retain
10:44:39 15 talent. That's right.

10:44:40 16 Q. Let's talk about recruiting for a bit.

10:44:43 17 Why is recruiting talent important for Adobe?

10:44:46 18 A. So our critical, most critical asset is
10:44:50 19 people. So we're really an IP-based company.

10:44:53 20 Q. "IP" is intellectual property?

10:44:56 21 A. Correct. So that's -- you know, ultimately
10:44:57 22 the only asset that we have as an organization is the
10:45:04 23 bright minds of individuals and technologists or
10:45:09 24 individuals who sell our products or market our
10:45:11 25 products.

10:45:11 1 Q. So it's important to Adobe to have --

10:45:14 2 A. It's critical.

10:45:15 3 Q. It's critical to Adobe to have the best talent
10:45:18 4 that you can have?

10:45:18 5 A. Correct.

10:45:20 6 [REDACTED]

10:45:23 7 [REDACTED]

10:45:25 8 [REDACTED]

10:45:26 9 [REDACTED]

10:45:30 10 [REDACTED]

10:45:33 11 [REDACTED]

10:45:37 12 [REDACTED]

10:45:40 13 [REDACTED]

10:45:45 14 [REDACTED]

10:45:48 15 [REDACTED]

10:45:52 16 [REDACTED]

10:45:55 17 [REDACTED]

10:45:58 18 [REDACTED]

10:46:02 19 [REDACTED]

10:46:06 20 [REDACTED]

10:46:08 21 [REDACTED]

10:46:12 22 [REDACTED]

10:46:15 23 [REDACTED]

10:46:16 24 [REDACTED]

10:46:19 25 [REDACTED]

10:46:19 1 [REDACTED]

10:46:29 2 [REDACTED]

10:46:30 3 [REDACTED]

10:46:32 4 [REDACTED]

10:46:34 5 [REDACTED]

10:46:38 6 [REDACTED]

10:46:42 7 [REDACTED]

10:46:46 8 [REDACTED]

10:46:49 9 [REDACTED]

10:46:52 10 [REDACTED]

10:46:57 11 [REDACTED]

10:47:01 12 [REDACTED]

10:47:05 13 [REDACTED]

10:47:09 14 [REDACTED]

10:47:12 15 [REDACTED]

10:47:15 16 [REDACTED]

10:47:18 17 [REDACTED]

10:47:22 18 [REDACTED]

10:47:25 19 [REDACTED]

10:47:29 20 [REDACTED]

10:47:32 21 [REDACTED]

10:47:35 22 [REDACTED]

10:47:37 23 [REDACTED]

10:47:39 24 Q. Let's talk about executive recruitment.

10:47:41 25 You said that at some point Adobe retained

11:04:27 1 internal movement.

11:04:29 2 Q. So there are various different kinds of
11:04:32 3 candidates that are active, meaning they've reached out
11:04:36 4 in some way to Adobe?

11:04:36 5 A. Correct.

11:04:36 6 Q. And then there are various types of candidates
11:04:38 7 that are passive, meaning they haven't yet reached out
11:04:41 8 to Adobe; is that right?

11:04:42 9 A. True.

11:04:42 10 Q. What are the methods, from about 2005 to the
11:04:48 11 present, to the extent you know, by which Adobe sought
11:04:52 12 out passive candidates?

11:04:53 13 A. What do you mean by "methods"?

11:04:57 14 Q. What means did Adobe use to reach passive
11:05:02 15 candidates, communicate with passive candidates?

11:05:06 16 A. Well, certainly they would -- you know, they
11:05:08 17 could -- I myself do not directly recruit candidates,
11:05:12 18 so let me go with saying that. I interview a lot of
11:05:15 19 people but I don't recruit.

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11:05:37 1

[REDACTED]

11:05:42 2

[REDACTED]

11:05:46 3

[REDACTED]

11:05:47 4

Q. You said you don't recruit candidates

11:05:51 5

personally; is that right?

11:05:51 6

A. That's right.

11:05:52 7

Q. Did you ever --

11:05:53 8

A. I interview, but --

11:05:55 9

Q. At Adobe did you ever recruit candidates?

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A. Depends on your definition of "recruitment."

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So I clearly interviewed a lot of candidates and have

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always interviewed a lot of candidates. But I was

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never an individual who passively picked up the phone

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and started calling people and trying to encourage them

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to join the company, no.

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Q. You oversee people who do that, though?

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A. Correct. Indirectly oversee them now.

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[REDACTED]

11:06:25 19

[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

11:06:37 23

[REDACTED]

11:06:43 24

[REDACTED]

11:06:50 25

[REDACTED]

11:06:55	1	[REDACTED]
11:07:00	2	[REDACTED]
11:07:00	3	[REDACTED] [REDACTED]
11:07:04	4	[REDACTED]
11:07:06	5	[REDACTED]
11:07:08	6	[REDACTED]
11:07:11	7	[REDACTED]
11:07:11	8	[REDACTED] [REDACTED]
11:07:12	9	[REDACTED] [REDACTED]
11:07:13	10	[REDACTED] [REDACTED]
11:07:13	11	[REDACTED] [REDACTED]
11:07:15	12	[REDACTED] [REDACTED]
11:07:19	13	[REDACTED]
11:07:22	14	[REDACTED] [REDACTED]
11:07:27	15	[REDACTED]
11:07:33	16	[REDACTED]
11:07:36	17	[REDACTED]
11:07:40	18	[REDACTED]
11:07:44	19	[REDACTED]
11:07:46	20	[REDACTED] [REDACTED]
11:07:49	21	[REDACTED] [REDACTED]
11:07:55	22	[REDACTED]
11:07:57	23	[REDACTED] [REDACTED]
11:08:00	24	[REDACTED]
11:08:01	25	[REDACTED] [REDACTED]

11:08:06	1	[REDACTED]
11:08:11	2	[REDACTED] [REDACTED]
11:08:20	3	[REDACTED]
11:08:24	4	[REDACTED]
11:08:26	5	[REDACTED] [REDACTED]
11:08:30	6	[REDACTED]
11:08:31	7	[REDACTED] [REDACTED]
11:08:31	8	[REDACTED] [REDACTED]
11:08:34	9	[REDACTED]
11:08:37	10	[REDACTED]
11:08:39	11	[REDACTED] [REDACTED]
11:08:43	12	[REDACTED] [REDACTED]
11:08:43	13	[REDACTED]
11:08:46	14	[REDACTED] [REDACTED]
11:08:47	15	[REDACTED] [REDACTED]
11:08:51	16	[REDACTED] [REDACTED]
11:08:54	17	[REDACTED] [REDACTED]
11:08:56	18	[REDACTED] [REDACTED]
11:09:00	19	[REDACTED]
11:09:04	20	[REDACTED] [REDACTED]
11:09:07	21	[REDACTED]
11:09:08	22	[REDACTED]
11:09:13	23	[REDACTED]
11:09:16	24	[REDACTED]
11:09:19	25	[REDACTED]

1 REPORTER'S CERTIFICATE

2 I, Anne Torreano, Certified Shorthand Reporter
3 licensed in the State of California, License No. 10520,
4 hereby certify that the deponent was by me first duly
5 sworn, and the foregoing testimony was reported by me
6 and was thereafter transcribed with computer-aided
7 transcription; that the foregoing is a full, complete,
8 and true record of said proceedings.

9 I further certify that I am not of counsel or
10 attorney for either or any of the parties in the
11 foregoing proceeding and caption named or in any way
12 interested in the outcome of the cause in said caption.

13 The dismantling, unsealing, or unbinding of
14 the original transcript will render the reporter's
15 certificates null and void.

16 In witness whereof, I have subscribed my name
17 this 31st day of August, 2012.

18
19 [X] Reading and Signing was requested.

20 [] Reading and Signing was waived.

21 [] Reading and Signing was not requested.
22
23

24 _____
ANNE M. TORREANO, CSR No. 10520
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